IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH PAUSHA 1928

WP(C).No. 252 of 2007(E)

PETITIONERS:

1. **ASHA HARI (MINOR), D/O. V.D.HARI, STUDENT, STANDARD XI, RAJAGIRI HIGHER SECONDARY SCHOOL, KALAMASSERY, ERNAKULAM DIST., REP. BY HER FATHER AND NATURAL GUARDIAN V.D.HARI, S/O. DAMODHARAN NAMBIAR, 'SREERANJINI' HOUSE, VELINJIL-MANA ROAD,EAST KADUNGALLUR,U.C.COLLEGE PO.,ALUVA.**

2. **ARJUN V. (MINOR), S/O. VINODKUMAR K.G., STUDENT, STANDARD XI, RAJAGIRI HIGHER SECONDARY SCHOOL, KALAMASSERY, ERNAKULAM DIST., REP. BY HIS FATHER AND NATURAL GUARDIAN VINODKUMAR K.G., S/O. K.B.GANGADHARAN NAIR, 'AKSHAYA', WEST KADUNGALLUR, ALUVA.**

BY ADV. SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P

RESPONDENTS:

1. **STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL EDUCATION, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE GENERAL CONVENOR, 10TH HIGHER SECONDARY STATE YOUTH FESTIVAL, ST.MARY'S H.S.S., PATTOM, THIRUVANANTHAPURAM.**

3. **THE GENERAL CONVENOR, 10TH HIGHER SECONDARY ERNAKULAM DISTRICT YOUTH FESTIVAL, ALUVA BOYS' HIGHER SECONDARY SCHOOL, ALUVA, ERNAKULAM DISTRICT.**

4. **H.D.P.Y. HIGHER SECONDARY SCHOOL, KOTTUVALLIKKAVU, MALIANKARA, MOOTHAKUNNAM, ERNAKULAM DISTRICT, REPRESENTED BY ITS PRINCIPAL.**

BY GOVERNMENT PLEADER SRI. I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.252 of 2007

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Dated this the 3rd day of January, 2007.

JUDGMENT

Even though petitioner's appeal is allowed, it is seen that the Appellate Committee has not considered the relative performance of the petitioners' team with that of the first prize winner. In the circumstances, the appellate order is unenforceable as only one team can participate in the State level competition and petitioners' team can be permitted only after reversing the award of first prize to the other team which is not done. All the judges have awarded higher marks to the first prize winner and the petitioners' team secured 10 marks less than the first prize winner. In the circumstances, W.P. is devoid of any merit and is dismissed.

C.N.RAMACHANDRAN NAIR
Judge

pms